REMARKS

Claims 1-3, 5-7, 9-11, 13-15, 17-23, 25 and 28-33 are pending in the present application.

Claim 28 is allowed.

Claim 1 is amended.

Claims 34-46 are cancelled.

Claims 1-3, 5-7, 9-11, 13-15 and 17 are under examination. Claims 18-23, 25 and 29-33 are currently withdrawn pending completion of examination of the elected species. Upon allowance of the elected species the withdrawn claims will be reentered.

No new matter is added as a result of the amendments.

The claims are believed to be allowable for the reasons set forth herein. Notice thereof is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 1-3, 5-7, 9-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satou et al. (6,808,768) in view of Avar (4,730,017).

Satou et al. is cited as disclosing porous inorganic particles that can be silica, alumina or other metal compounds

and at least one ink absorbing layer containing the disclosed particles. Avar is cited as disclosing light stabilizers.

Avar recites certain materials which stabilize a polymer layer, particularly automotive finishes, against degredation in light. The present invention is directed to an ink jet recording material wherein an ink image formed thereon by ink-jet techniques does not fade due to light. These technologies are distinct from each other in many ways. Primarily, an automotive finish is designed to be somewhat impervious to markings and is intended to be a hard coating. Any stabilizing material is expected to be maintained within, and for the sole benefit of, the polymer coating as is easily realized by the typical presence of a clear-coat over the polymer coating. An ink jet recording material is intended to be a flexible material, similar to paper in use, and is specifically designed to allow ink from an ink jet printer to readily adhere to the surface. Yet another distinction is that in the disclosure of Avar the stabilizer protects the polymer coating in which it resides whereas with the instant invention it is an auxiliarly ink layer which is actually protected.

Satou et al. is directed to an ink jet media, and particularly, to improvements in ink absorptivity and transparency. The problem addressed by Satou et al. and that

addressed by the present application are distinct and unrelated. The present invention is directed to a property of the ink, not the media, and particularly a property of the ink which is altered by a component of the media. Satou et al. fails to provide any guidance, or even suggestion, of a technique for modifying the behavior of the ink based on components of the media.

In summary, Satou et al. teaches properties of the media without altering the ink. Avar, though directed to a totally different type of coating, also teaches a modification of properties of the polymer coating. Therefore, even if one of skilled in the art were to consider modifying Satou et al. by including the teachings of Avar the best they could expect to accomplish is an improvement in the stability of the polymer coating. One would have no suggestion from the references that incorporating a specific material in the polymer coating would modify the properties of an ink applied on the surface. Such a combination can only be made in hindsight based solely on the present application and the combination is therefore an improper construction and a rejection based thereon is improper.

The rejection of claims 1-3, 5-7, 9-15 and 17 under 35 U.S.C. 103(a) as being unpatentable over Satou et al. (6,808,768) in view of Avar (4,730,017) is traversed.

CONCLUSIONS

Claims 1-3, 5-7, 9-11, 13-15, 17-23, 25 and 28-33 are pending in the present application. All claims are believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,

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